

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE:)
)
)

ERIC T. PEABODY AND)
RENEE J. PEABODY,)
DEBTORS)
_____)

CHAPTER 13
CASE NO. 08-40116-JBR

DEBTORS' RESPONSE TO CHAPTER 13 TRUSTEE'S MOTION TO DISMISS

Eric T. Peabody and Renee J. Peabody (the "Debtors") respond to the Chapter 13 Trustee's Motion to Dismiss (the "Motion"). In support, the Debtors represent as follows.

1. The Debtors admit the allegations in paragraph 1 of the Motion.
2. The Debtors deny the allegations in paragraph 2 of the Motion.

To the extent that there is still an amount owing, it will be timely cured.

WHEREFORE, Eric T. Peabody and Renee J. Peabody respectfully request that this Court enter an Order:

- (1) deny the Chapter 13 Trustee's Motion to Dismiss; and
- (2) for such other relief as this court deems meet and just.

Eric T. Peabody and Renee J. Peabody
By their attorney,

/s/ Herbert Weinberg
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Debtors' Response to the Chapter 13 Trustee's Motion to Dismiss was this day sent, by mailing, first class mail, postage prepaid, or by electronic filing, to those on the attached list.

Signed under the penalties of perjury this 8th day of March 2010

/s/ Herbert Weinberg
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